

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL ACTION NO. 5:11-CV-109-RLV-DCK**

<b>BROADCAST MUSIC, INC., et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>ORDER</b>
	)	
<b>LAKE HOUSE TAVERN, LLC d/b/a WHITE</b>	)	
<b>OWL TAVERN, and RICHARD E. LOWE, JR.,</b>	)	
<b>and SANDY LOWE, each individually,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

THIS MATTER came on to be heard upon the motion of Plaintiffs, pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, for an Order dismissing their claims and causes of action against Defendant Sandy Lowe, individually, WITHOUT PREJUDICE, with costs to be borne as awarded in the Order and Judgment of Default dated 12 January 2012 [DE-21], and it appearing to the Court that Defendant Sandy Lowe has not yet been served with summonses or copies of the Complaint, 120 days has passed since the Complaint was filed, and Plaintiffs' motion should be granted for good cause shown;

IT IS THEREFORE ORDERED that Plaintiffs' motion is GRANTED and that Plaintiffs' claims and causes of action alleged against Defendant Sandy Lowe, individually, are hereby DISMISSED WITHOUT PREJUDICE, with costs to be borne as awarded in the Order and Judgment of Default dated 12 January 2012 [DE-21].

Signed: January 27, 2012



Richard L. Voorhees  
United States District Judge

